

**AFFIDAVIT OF
PUBLICATION**

State of Idaho

County of Fremont

ss.

Dorothy D. Hunsaker

being first duly sworn, upon his
oath, deposes and says:

That he is the Owner
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

**NOTICE OF CLAIM TO
A WATER RIGHT**

21-4005

And affiant further says that
said notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in
any supplement issue thereof,

for 2 consecutive is-
sues thereof; first publication

having been made on the 16th

day of August, 1973,

and the last publication on the

23rd day of August

19 73.

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Dorothy D. Hunsaker
Subscribed in my presence and

sworn to before me this 29

day of August,

19 73.

Myrtle Rose
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

RECEIVED

AUG 30 1973

Department of Water Administration
Eastern District Office

**NOTICE OF CLAIM TO A WATER RIGHT
NO. 21-4005**

Notice is hereby given that J. P. &/or
Ethel R. Winterbottom Box 73, Ashton, Idaho
have filed a claim to a water right es-
tablished by diversion and application to
beneficial use of 0.04 cubic feet per second
of water from Walker Spring tributary to
Henry's Fork Snake River with point of
diversion in the SW1/4SE1/4, Sec. 14, T. 9N,
R. 43E, B.M. Fremont County.

The water is claimed to be used from Jan.
1 to Dec. 31 for domestic purposes with a
priority of October 2, 1966; the place of use
is within the SW1/4SE1/4, Sec. 14, T. 9N,
R. 43E, B.M.

Any exception to this claim of water
right may be filed with the Idaho Department
of Water Administration, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Fremont County Chroni-
cle-News, St. Anthony, Idaho on August 16
and August 23, 1973.

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STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that J. P. &/or Ethel R. Winterbottom
(name of claimant)
of Box 73, Ashton, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Henry's Fork Snake River;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Walker Spring
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|-------------------|-----|----------------------------|---------------------|------------|----|------------------------|
| Amount | <u>.04</u> | Use | <u>Domestic</u> | Period of Use: From | <u>1-1</u> | To | <u>12-31</u> |
| Amount | | Use | | Period of Use: From | | To | |
| Amount | | Use | | Period of Use: From | | To | |
| | (cfs, gpm or a/f) | | (dom., irri., stock, etc.) | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: .04 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 10-2-66
- A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
- SW ¼ SE ¼, Sec. 14 Twp. 9N Rge. 43 E B. M. County of Fremont
- Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Spring box with 365' pipeline to house

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9N	43E	14															X		

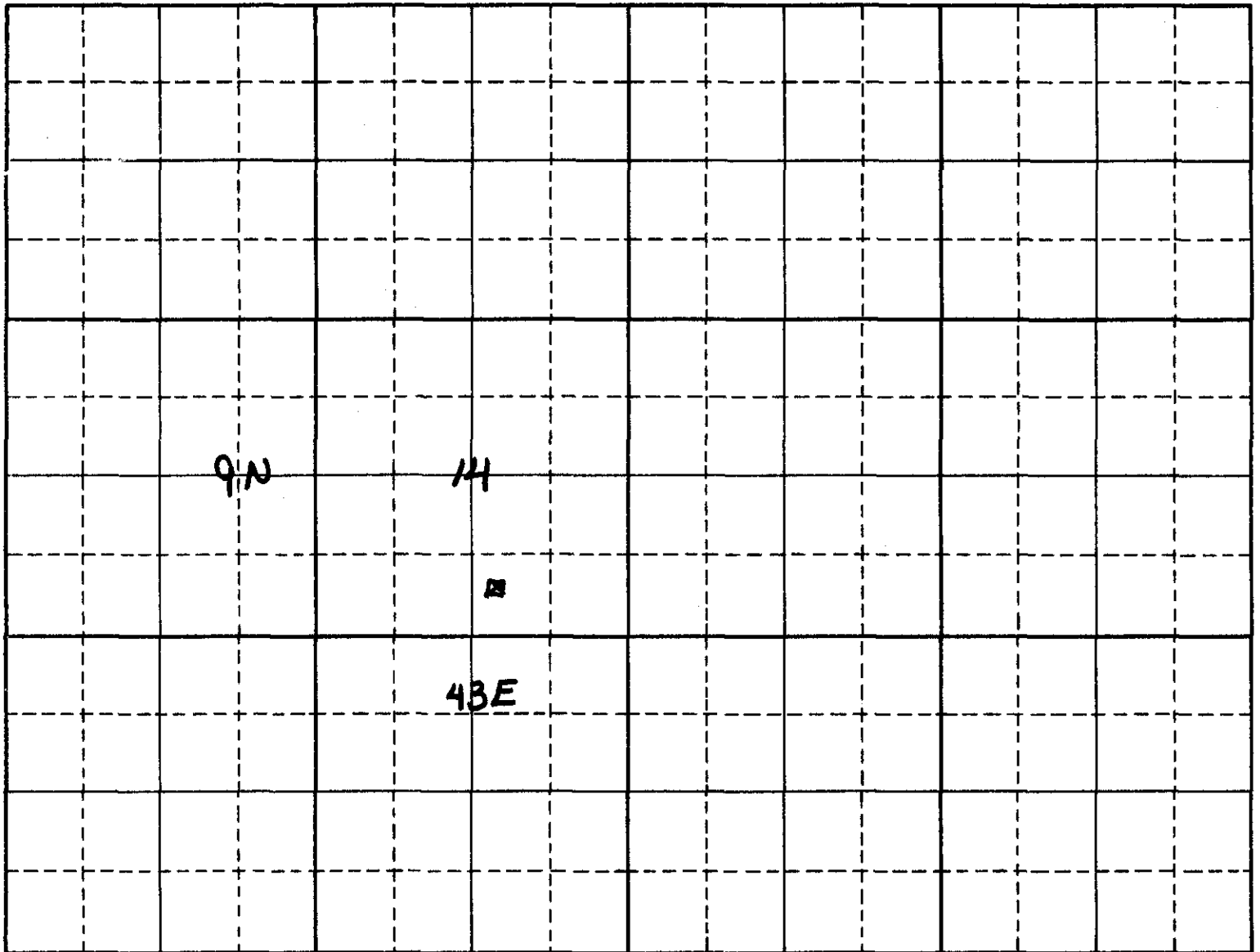
Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic and lawn and garden irrigation

- (7) If you are claiming water as a member of an organization, list name of organization: _____

[Handwritten signature]

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of _____

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 6th day of August, 19 73.

[Signature]
(Claimant)

[Signature]
Notary Public
Residing at Boise, Idaho

My commission expires 6/15/77

Rec'd # 11461

For Department Use Only

Received by <i>[Signature]</i>	Date <u>8/8/73</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <i>[Signature]</i>	Date <u>6/10/73</u>		claimant by:	
\$10.00 fee received by <i>[Signature]</i>	Date <u>8-6-73</u>			
Approved for publication by <i>[Signature]</i>	Date <u>8/10/73</u>			
Published in <u>Premont County Chronicle</u>				
Dates <u>Aug. 16 + 23, 1973</u>				

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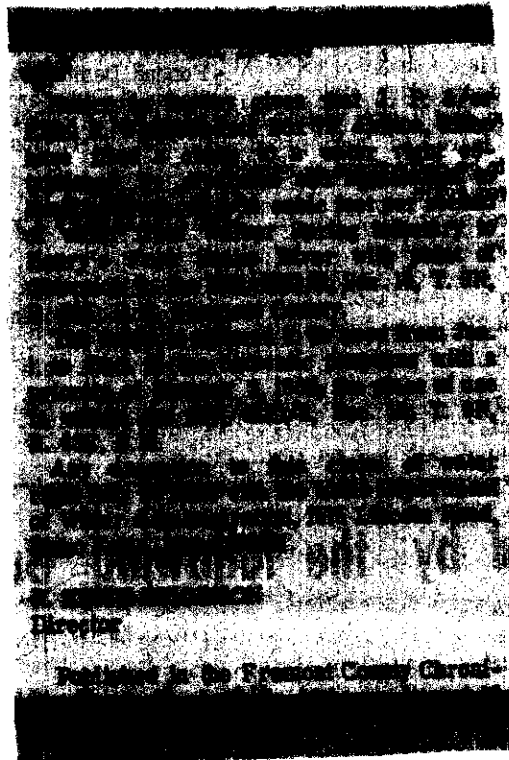
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address: St. Anthony,
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Department of Water Administration
Eastern District Office



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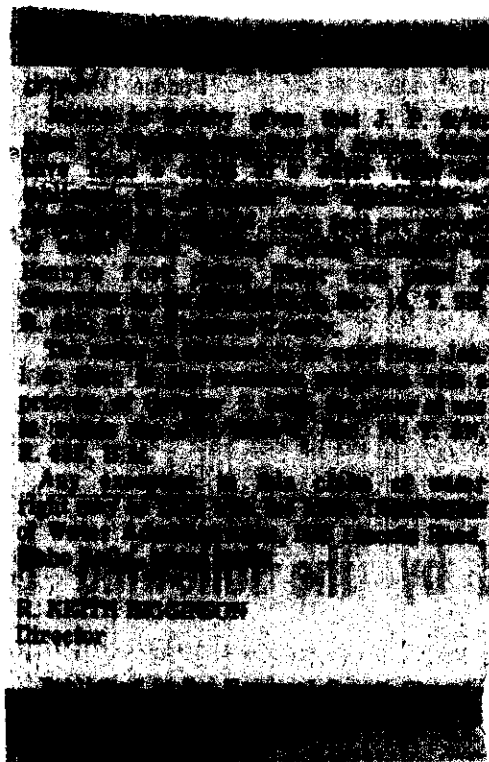
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Duplicate

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AUG 30 1973

Department of Water Administration
Eastern District Office



21 4005

September 4, 1973

Re: Claim to a Water Right No. 21-4005

Mr. & Mrs. J. P. Winterbottom
Box 73
Ashton, Idaho 83420

Dear Mr. & Mrs. Winterbottom:

The Department of Water Administration has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb
Enc: Copy of claim

21 4005

1515 Lincoln Road

August 10, 1973

Re: Claim to a Water Right No. 21-4005 - Winterbottom

Fremont County Chronicle News
Box 568
St. Anthony, ID 83445

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enc: Legal Notice (1)

Bill submitted

8-30-73 by mb

21 4005

LEGAL. - - - - -CN

mb
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R. KEITH HIGGINSON
Director

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*Ashton
with
Ashton*